

**EXHIBIT F**

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**Subject:** Follow-up re: Discovery on Lift-Stay Motions  
**Date:** Friday, February 7, 2020 7:39:41 PM

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All,

We are writing on behalf of counsel for the monolines. Following up on Wednesday's meet-and-confer, please provide in writing as soon as possible the Government Parties' responses to the Movants' previously provided document requests pertaining to the lift-stay issues to be addressed at the preliminary hearing. These targeted requests are directly relevant to those limited issues. As contemplated by Judge Swain at the recent Omnibus Hearing, it is important to understand as quickly as possible the Government Parties' final positions so we can address any outstanding issues through motion practice before Judge Dein in the coming week if the parties cannot reach agreement.

Regarding HTA Request No. 4, you asked for more clarity as to the types of "communications" Movants are seeking. Without limitation, the following categories of communications and documents from January 1, 2013 to the present go directly to the flow of funds and the Government Parties' assertions about ownership of the Pledged Revenues:

- regulations, internal agency rules, circulars, bulletins, administrative determinations, manuals, and official communications or memoranda regarding the budgeting treatment of the Excise Taxes (as that term is defined in Movants' lift-stay motions and including the proceeds therefrom), including, but not limited to, whether the Excise Taxes were considered to be a source of revenue available for appropriation;
- communications between (a) the individuals at HTA primarily responsible for budgetary matters and (b) their counterparts in the Commonwealth government (including individuals at the Governor's Office (Fortaleza), Treasury Department, and Office of Management and Budget) regarding the budgeting treatment of the Excise Taxes, including, but not limited to, whether the Excise Taxes were considered to be a source of revenue available for appropriation;
- communications between (a) the Board and/or its advisors and (b) Commonwealth's fiscal advisor concerning whether the Excise Taxes were available sources of revenue for use by the Commonwealth or HTA;
- regulations, internal agency rules, circulars, bulletins, administrative determinations, manuals, and official communications or memoranda regarding the Commonwealth's and/or HTA's implementation of Executive Orders No. OE-2015-46, OE-2015-49, OE-2016-18, OE-2016-30, and OE-2016-31 and of Circular 127-16 (and subsequent related Executive Orders and Circulars) to the extent that such implementation related to the Excise Taxes;
- budgetary memos and presentations regarding budget recommendations for HTA that take into account or discuss the Excise Taxes;

regulations, internal agency rules, circulars, bulletins, administrative determinations, and manuals regarding the receipt, deposit, transfer, ownership, custody, control, and flow of funds pertaining to the Excise Taxes;

- regulations, internal agency rules, circulars, bulletins, administrative determinations, and manuals regarding the definition or scope of “ingresos propios” or “recursos propios”;
- the proposed Commonwealth and HTA budgets presented to the FOMB for each fiscal year.

Additionally, without regard to date, we are requesting:

- HTA bond closing transcripts, resolutions (including, but not limited to, bond resolutions), and supplemental resolutions.

Movants are listing categories of information that we consider relevant, but we are available to meet and confer about the appropriate scope of search/collection so that the parties can identify the key materials responsive to each of these categories.

With that clarification, we ask that the Government Parties provide their responses to our document requests as soon as possible and in any event no later than noon on **Monday, February 10, 2020**.

Best regards,



**Gaspard Rappoport**

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